

**SUPREME COURT MINUTES
FRIDAY, AUGUST 11, 2006
SAN FRANCISCO, CALIFORNIA**

S145735 C050528 Third Appellate District

**BRIDGEMAN (THERESA) v.
MCPHERSON (BRUCE)**

Application for stay denied.

S144282 A105200 First Appellate District, Div. 5

PEOPLE v. LOCKHART (ERIC)

Time extended to grant or deny review to and including September 15, 2006.

S144286 B182857 Second Appellate District, Div. 7

PEOPLE v. NEWMAN (TERRY L.)

Time extended to grant or deny review to September 15, 2006.

S144414 E036472 Fourth Appellate District, Div. 2

PEOPLE v. TAYLOR (FRANK L.)

Time extended to grant or deny review to September 20, 2006.

S144430 A103544 First Appellate District, Div. 4

**PEOPLE v. JOHNSON (LAMONT
S.)**

Time extended to grant or deny review to and including September 15, 2006, or the date upon which review is either granted or denied.

S144448 H028885 Sixth Appellate District

PEOPLE v. GONZALES (JOE)

Time extended to grant or deny review to and including September 15, 2006, or the date upon which review is either granted or denied.

S144452 B181976 Second Appellate District, Div. 7

**PEOPLE v. RODRIGUEZ
(GERARDO)**

Time extended to grant or deny review to and including September 15, 2006

S144460 A108855 First Appellate District, Div. 5

PEOPLE v. KING (DAMON)

Time extended to grant or deny review to and including September 15, 2006, or the date upon which review is either granted or denied.

S144462 B190788 Second Appellate District, Div. 6

**WILKINSON (RACHEL N.) v. S.C.
(PEOPLE)**

Time extended to grant or deny review to and including September 15, 2006.

S144464 A110367 First Appellate District, Div. 5

**AICCO, INC. v. INSURANCE
COMPANY OF NORTH AMERICA**

Time extended to grant or deny review to September 15, 2006.

S144470 E036536 Fourth Appellate District, Div. 2

PEOPLE v. MCBRIDE (JAMES J.)

Time extended to grant or deny review to and including September 15, 2006, or the date upon which review is either granted or denied.

S144472 F049317 Fifth Appellate District

ARREOLA (JESUS S.) ON H.C.

Time extended to grant or deny review to and including September 18, 2006.

S144475 H028226 Sixth Appellate District

PEOPLE v. SMITH (DAMIAN S.)

Time extended to grant or deny review to September 18, 2006.

S144483 B190077 Second Appellate District, Div. 6

PEOPLE v. S.C. (MATTHEW W.)

Time extended to grant or deny review to and including September 18, 2006.

S144490 D048512 Fourth Appellate District, Div. 1

BUSCH (TIMOTHY) ON H.C.

Time extended to grant or deny review to and including September 19, 2006, or the date upon which review is either granted or denied.

S144491 F046971 Fifth Appellate District

PEOPLE v. MOSQUEDA (JESUS G.)

Time extended to grant or deny review to and including September 18, 2006, or the date upon which review is either granted or denied.

S144492 E036942 Fourth Appellate District, Div. 2

**MANTA MANAGEMENT CORP. v.
CITY OF SAN BERNARDINO**

Time extended to grant or deny review to and including September 18, 2006

S144501 E038046 Fourth Appellate District, Div. 2

PEOPLE v. ALICE (JEFFREY S.)

Time extended to grant or deny review to and including September 18, 2006, or the date upon which review is either granted or denied.

S144512 B180004 Second Appellate District, Div. 7

PEOPLE v. WALKER (JOE A.)

Time extended to grant or deny review to and including September 19, 2006.

S144513 F048362 Fifth Appellate District

PEOPLE v. LEE (PHILLIP)

Time extended to grant or deny review to and including September 15, 2006.

S144515 A109322 First Appellate District, Div. 1

C. (LEMANUEL), IN RE

Time extended to grant or deny review September 19, 2006.

S144519 C047116 Third Appellate District **PEOPLE v. MAES (MANUEL J.)**
Time extended to grant or deny review to and including September 20, 2006, or the date upon which review is either granted or denied.

S144528 G035033 Fourth Appellate District, Div. 3 **PEOPLE v. MINO (MICHAEL J.)**
Time extended to grant or deny review to and including September 18, 2006, or the date upon which review is either granted or denied.

S144547 B179762 Second Appellate District, Div. 8 **PEOPLE v. LEGARDA (MARIA)**
Time extended to grant or deny review to and including September 19, 2006, or the date upon which review is either granted or denied.

S144555 H030159 Sixth Appellate District **(RENEE) DALY v. S.C. (PEOPLE)**
Time extended to grant or deny review to September 21, 2006.

S144567 D046925 Fourth Appellate District, Div. 1 **PEOPLE v. WILLIAMS (MATT L.)**
Time extended to grant or deny review to and including September 19, 2006, or the date upon which review is either granted or denied.

S144568 F047779 Fifth Appellate District **PEOPLE v. SHILOH (KEVIN L.)**
Time extended to grant or deny review to and including September 20, 2006, or the date upon which review is either granted or denied.

S144572 B191326 Second Appellate District, Div. 7 **JOHNSON (LARRY) ON H.C.**
Time extended to grant or deny review to and including September 21, 2006.

S144583 E040533 Fourth Appellate District, Div. 2 **SOLIZ (JAMES J.) ON H.C.**
Time extended to grant or deny review to and including September 21, 2006.

S144584 E040583 Fourth Appellate District, Div. 2 **ANDREW (DENNIS) ON H.C.**
Time extended to grant or deny review to September 21, 2006.

S144634 B183129 Second Appellate District, Div. 5 **PEOPLE v. WALLACE (DENNIS F.)**
Time extended to grant or deny review to September 21, 2006.

S044739**PEOPLE v. BANKSTON
(ANTHONY G.)**

Extension of time granted to October 16, 2006, to file the appellant's opening brief. After that date, only three further extensions totaling about 180 additional days will be granted. Extension is granted based upon State Public Defender Michael J. Hersek's representation that he anticipates filing that brief by April 17, 2007.

S064858**PEOPLE v. SCOTT (ROYCE L.)**

Good cause appearing, and based upon Deputy State Public Defender Susan Ten Kwan's representation that she anticipates filing the appellant's opening brief by April 2007, counsel's request for an extension of time in which to file that brief is granted to October 16, 2006. After that date, only three further extensions totaling 180 additional days will be granted.

S067353**PEOPLE v. GONZALES (IVAN)**

Extension of time granted to October 23, 2006, to file the appellant's opening brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension is granted based upon Deputy State Public Defender Craig Buckser's representation that he anticipates filing that brief by December 2006.

S076169**PEOPLE v. PARKER (GERALD)**

Extension of time granted to October 10, 2006, to file appellant's opening brief.

S086234**PEOPLE v. MILES (JOHNNY D.)**

Extension of time granted to September 28, 2006, to file the appellant's opening brief. After that date, only two further extensions totaling about 90 additional days are contemplated. Extension is granted based upon counsel Peter Giannini's representation that he anticipates filing that brief by December 29, 2006.

S095223**PEOPLE v. BLOOM (ROBERT M.)**

Extension of time granted to October 16, 2006, to file the appellant's opening brief.

S134962**HART (JOSEPH W. ON H.C.**

Extension of time granted to September 27, 2006, to file the reply to the informal response to the petition for writ of habeas corpus. After that date, no further extension is contemplated. Extension is granted based upon Deputy Federal Public Defender Amanda R. Touchton's representation that she anticipates filing that document by September 27, 2006.

S140077**WALLACE (KEONE) ON H.C.**

Extension of time granted to August 21, 2006, to file the informal response to the petition for writ of habeas corpus. After that date, no further extension will be granted. Extension is granted based upon Deputy Attorney General Alison Elle Aleman's representation that she anticipates filing that document by August 21, 2006.

S099274**PEOPLE v. BROOKS (DONALD)**

Upon request of appellant for appointment of counsel, John L. Staley is hereby appointed to represent appellant Donald Lewis Brooks for the direct appeal in the above automatic appeal now pending in this court.

S126962**SUSPENSION DUES-
NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 27, 2004, effective September 16, 2004, be amended nunc pro tunc to strike the name **SPENCER HEGONE KELLY, #206467**.

S126962**SUSPENSION DUES-
NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 27, 2004, effective September 16, 2004, be amended nunc pro tunc to strike the name **HUBERT O. HAMEL, #30678**.

S126962**SUSPENSION DUES-
NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 27, 2004, effective September 16, 2004, be amended nunc pro tunc to strike the name **TIMOTHY DAVID KELLEY, #86830**.

S126962**SUSPENSION DUES-
NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 27, 2004, effective September 16, 2004, be amended nunc pro tunc to strike the name **LAWRENCE LOW, #43524**.

S136220**SUSPENSION DUES -
NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 24, 2005, effective September 16, 2005, be amended nunc pro tunc to strike the name **MARK LAWRENCE PICHICHERO, #160242**.

S136220**SUSPENSION DUES -
NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 24, 2005, effective September 16, 2005, be amended nunc pro tunc to strike the name **ALBERT N. GREENFIELD, #25655**.

S136220**SUSPENSION DUES -
NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 24, 2005, effective September 16, 2005, be amended nunc pro tunc to strike the name **TODD DAVID WEINTRAUB, #175106**.

S136220**SUSPENSION DUES -
NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 24, 2005, effective September 16, 2005, be amended nunc pro tunc to strike the name **ERNEST SAMUEL MIESKE, #135466**.

S136220**SUSPENSION DUES -
NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 24, 2005, effective September 16, 2005, be amended nunc pro tunc to strike the name **SHAWN T. HYNES, #229625**.

S136220**SUSPENSION DUES-
NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 24, 2005, effective September 16, 2005, be amended nunc pro tunc to strike the name **GERALD STUART WITHERSPOON, #124309**.

S126321**VU ON DISCIPLINE**

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above entitled matter is lifted, and **HAO-NHIEN QUI VU, State Bar No. 177529**, must be actually suspended from the practice of law for two years and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Credit toward the period of actual suspension will be given for the period of involuntary inactive enrollment which commenced on May 21, 2006 (Business and Professions Code section 6007(d)(3)). It is further ordered that **Hao-Nhien Qui Vu** comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S128821**CONSIGLIO ON DISCIPLINE**

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above entitled matter is lifted. **MICHAEL EDWARD CONSIGLIO, State Bar No. 55550**, must be actually suspended from the practice of law for one year and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. Credit toward the period of actual suspension will be given for the period of involuntary inactive enrollment which commenced on May 22, 2006 (Business and Professions Code section 6007(d)(3)). He must also be placed on probation for three years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its filed on May 22, 2006. It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar

in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)